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OFFICE OF PETITIONS

In re Application of	:	
CRAIN et al.	:	
Application No. 10/796,440	:	DECISION ON PETITION
Filed: 03/09/2004	:	
Attorney Docket No. NORT 64197	:	

This is a decision on the petition under 37 CFR 1.181, filed October 8, 2007, to withdraw the holding of abandonment for the above-identified application.

On January 25, 2007, the Office mailed a non-final Office action, which set three-month shortened statutory period for reply. On September 26, 2007, the Office mailed a Notice of Abandonment, indicating the application was abandoned because no reply was received.

In the present petition, applicants asserted that they filed a timely reply. In support of the assertion, applicants submitted a copy of the reply and a copy of the Acknowledgement Receipt, indicating that the USPTO received the response on April 4, 2007.

Upon reviewing the record, the Office has located the reply in the form of an amendment in the Image File Wrapper filed on April 4, 2007. Accordingly, the reply is considered timely filed on April 4, 2007. The petition under 37 CFR 1.181 is granted. The holding of abandonment is hereby withdrawn. The application is restored to pending status as the reply was timely filed.

The matter is being referred to Technology Center Art Unit 2821 for a review of the reply filed on April 4, 2007.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3211. All other questions regarding the status of the application or the examination procedures should be directed to the Technology Center.

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